

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BRANDEN MCAFEE,

Plaintiff,

v.

IC SYSTEM, INC.,

Defendant

Case No. 1:24-cv-474

Cole, J.
Bowman, M.J.

REPORT AND RECOMMENDATION¹

Pro se Plaintiff Branden McAfee, a frequent litigant in this Court,² paid the requisite filing fee and initiated this Fair Debt Collection Act case on September 3, 2024. On October 10, 2024, Defendant moved for judgment on the pleadings. (Doc. 12). Despite filing numerous other motions, including a motion that sought an expedited ruling on the Defendants' motion for judgment on the pleadings, Plaintiff filed no memorandum in opposition to Defendant's motion. The presiding district judge, noting that the dispositive motion was unopposed, granted it on December 9, 2024. Judgment was entered the same day. (See Docs. 23, 24).

Three days after this case was dismissed from the Court's docket, Plaintiff filed what he has captioned a motion for leave to file an amended complaint under Rule 15(a). But the time for filing an amended complaint passed long ago. Once judgment has been entered and a case has been closed, no "amended complaint" can be filed.

¹A motion to amend a complaint is ordinarily a non-dispositive motion that can be addressed by Order. However, due to the limitations of magistrate authority in ruling on post-judgment motions, and out of an abundance of caution, the undersigned rules on the instant motion by Report and Recommendation.

²See, e.g., Nos. 1:22-cv-110-SJD-SKB, 1:22-cv-216-MRB-KLL, 1:23-cv-351-DRC-KLL, 1:23-cv-444-JPH-KLL, 1:23-cv-586-JPH-SKB, 1:23-cv-811-DRC-SKB, 1:24-cv-168-MRB-SKB.

IT IS THEREFORE RECOMMENDED THAT Plaintiff's motion to amend his complaint be **DENIED** as an untimely and procedurally improper post-judgment motion.

s/Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P 72(b), any party may serve and file specific, written objections to this Report and Recommendation (“R&R”) within **FOURTEEN (14) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN (14) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).